

Serial No. 10/031,091

Attorney Docket No. RCA89650

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

Applicant : Gene Harlow Johnson et al.

Serial No. : 10/031,091

Filed : January 15, 2002

For : Method and Apparatus for Performing a Channel Search in a Television

Examiner : Sumaiya A. Chowdhury

Art Unit : 2623

APPEAL BRIEF

May It Please The Honorable Board:

Appellants initiate a new appeal under 37 CFR 41.27 in response to the Final Rejection, dated October 5, 2007, of claims 1-12 of the above-identified application. The fee of five hundred ten dollars (\$510.00) for filing this Brief is to be charged to Deposit Account No. 07-0832. Enclosed is a single copy of this Brief.

Please charge any additional fee or credit any overpayment to the above-identified Deposit Account.

Appellants do not request an oral hearing.

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A handwritten signature in black ink, likely belonging to the Commissioner for Patents, written over a horizontal line.

Date:

3/7/08

**I. REAL PARTY IN INTEREST**

The real party in interest of Application Serial No. 10/031,091 is the Assignee of record:

Thomson Licensing S.A.  
46 quai Alphonse Le Gallo  
F-92100 Boulogne Billancourt  
France.

**II. RELATED APPEALS AND INTERFERENCES**

There are currently, and have been, no related Appeals or Interferences regarding Application Serial No. 10/031,091.

**III. STATUS OF THE CLAIMS**

Claims 1-12 are rejected and the rejection of claims 1-12 is appealed.

**IV. STATUS OF AMENDMENTS**

All amendments were entered and are reflected in the claims included in Appendix I.

**V. SUMMARY OF CLAIMED SUBJECT MATTER**

Independent claim 1 provides a method of performing a channel search (page 1, lines 9-10; page 2, lines 17-24) in a video processing apparatus (page 3, line 29-page 4, line 25; Fig. 1) having at least two video inputs (page 1, lines 14-16; page 4, lines 26-29; Fig. 1, reference nos. 16, 26, 28 and 30). Each video input is able to receive a video signal originating from a respective one of a plurality of external input sources (page 4, lines 13-25; Fig. 1, reference no. 14, 34, 36 and 38) and coupled to a display device (page 1, lines 16-18; page 5, lines 7-8; page 5, lines 26-28; Fig. 1, reference no. 22). A user determines a currently selected video input from one of at least two video inputs (page 5, lines 24-28; Fig. 1, reference nos. 16, 26, 28 and 30). Available channels are detected from various possible channels received from the source connected to only the currently selected video input (page 2, lines 25-28; page 6, line 29-page 7, line 1; Fig. 1, reference nos. 32 and 40). A channel list of all channels available for the currently selected video input is updated (page 6, lines 1-4; Fig. 1, reference no. 42).

Dependent claim 2 includes all the features of independent claim 1, along with the additional feature that detecting available channels includes detecting only digital channels (page 1, lines 9-16; page 4, lines 2-7; page 5, lines 12-21; Fig. 1, reference nos. 32 and 40).

Dependent claim 3 includes all the features of independent claim 1, along with the additional feature that, after determining a currently selected video input, information generated from a previous full channel search regarding whether a video input is coupled to a cable video signal source (page 4, lines 13-15; Fig. 1, reference no. 34) or an antenna video signal source (page 4, lines 17-19; Fig. 1, reference nos. 36 and 38) is utilized (page 3, lines 3-5).

Dependent claim 4 includes all the features of independent claim 1, along with the additional feature that, after determining a currently selected video input, information entered by a user (page 5, lines 24-28) regarding whether a video input is coupled to a cable video signal source (page 4, lines 13-15; Fig. 1, reference no. 34) or an antenna video signal source (page 4, lines 17-19; Fig. 1, reference nos. 36 and 38) is utilized.

Independent claim 5 provides a video processing apparatus (page 3, line 29-page 4, line 25; Fig. 1) coupled to a display device having at least two RF video inputs (page 1, lines 14-16; page 4, lines 26-29; Fig. 1, reference nos. 16, 26, 28 and 30). Each RF video input is able to receive a video signal originating from a respective one of a plurality of external input sources (page 4, lines 13-25; Fig. 1, reference no. 14, 34, 36 and 38) and is couplable to a respective source of television signals. One RF video input is selected of at least two RF video inputs as a television signal source for processing (page 5, lines 24-28; Fig. 1, reference nos. 16, 26, 28 and 30). Available channels received from the source connected to only the RF video input selected are detected (page 2, lines 25-28; page 6, line 29-page 7, line 1; Fig. 1, reference nos. 32 and 40). A channel list of all channels available for the selected RF video input is updated (page 6, lines 1-4; Fig. 1, reference no. 42).

Dependent claim 6 includes all the features of independent claim 5, along with additional means for detecting available channels includes detecting only digital channels (page 1, lines 9-16; page 4, lines 2-7; page 5, lines 12-21; Fig. 1, reference nos. 32 and 40).

Dependent claim 7 includes all the features of independent claim 5, along with additional means for utilizing information generated from a previous full channel search (page 3, lines 3-5; Fig. 1, reference no. 42) regarding whether an RF video input is coupled to a cable video signal source (page 4, lines 13-15; Fig. 1, reference no. 34) or an antenna video signal source (page 4, lines 17-19; Fig. 1, reference nos. 36 and 38).

Dependent claim 8 includes all the features of independent claim 5, along with additional means for utilizing information entered by a user (page 5, lines 24-28) regarding whether an RF video input is coupled to a cable video signal source (page 4, lines 13-15; Fig. 1, reference no. 34) or an antenna video signal source (page 4, lines 17-19; Fig. 1, reference nos. 36 and 38).

Independent claim 9 provides a video processing apparatus (page 3, line 29-page 4, line 25; Fig. 1) having at least two video inputs (page 1, lines 14-16; page 4, lines 26-29; Fig. 1, reference nos. 16, 26, 28 and 30). Each video input is able to receive a video signal originating from a respective one of a plurality of external input sources (page 4, lines 13-25; Fig. 1, reference no. 14, 34, 36 and 38). A first plurality of channels of television signals are received from a first television signal input of the at least two video inputs (page 4, lines 17-19). A second plurality of channels of television signals are received from a second television signal input of the at least two video inputs (page 4, lines 17-19; page 4, lines 20-25). Video data associated with one of the plurality of channels of television signals from either the first or second television signal inputs is displayed (page 1, lines 16-18; page 5, lines 7-8; page 5, lines 26-28; Fig. 1, reference no. 22). One of the first and second television signal inputs are selected for processing and display (page 5, lines 24-28; Fig. 1, reference nos. 16, 26, 28 and 30). Available channels received from the source connected to only the selected first or second television signal input selected are detected (page 2, lines 25-28; page 6, line 29-page 7, line 1; Fig. 1, reference nos. 32 and 40). A channel list of all channels available for the selected television signal input is updated (page 6, lines 1-4; Fig. 1, reference no. 42).

Dependent claim 10 includes all the features of independent claim 9, along with the additional feature that the means for detecting available channels includes detecting only digital channels (page 1, lines 9-16; page 4, lines 2-7; page 5, lines 12-21; Fig. 1, reference nos. 32 and 40).

Dependent claim 11 includes all the features of independent claim 9, along with the additional means for utilizing information generated from a previous full channel search (page 3, lines 3-5) regarding whether a television signal input is coupled to a cable video signal source (page 4, lines 13-15; Fig. 1, reference no. 34) or an antenna video signal source (page 4, lines 17-19; Fig. 1, reference nos. 36 and 38).

Dependent claim 12 includes all the features of independent claim 9, along with additional means for utilizing information entered by a user (page 5, lines 24-28) regarding whether a television signal input is coupled to a cable video signal source (page 4, lines 13-15; Fig. 1, reference no. 34) or an antenna video signal source (page 4, lines 17-19; Fig. 1, reference nos. 36 and 38).

#### **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Wugofski (U.S. Patent No. 6,003,041).

#### **VII. ARGUMENT**

Applicants respectfully submit that Wugofski does not anticipate the features of the present claimed system. Thus, reversal of the Final Rejection (hereinafter termed “rejection”) of claims 1-12 under 35 U.S.C. 102(e) is respectfully requested.

#### **Rejection of claims 1-12 under 35 U.S.C. 102(e)**

Reversal of the rejection of claims 1-12 under 35 U.S.C. 102(e) as being anticipated by Wugofski (U.S. Patent No. 6,003,041) is respectfully requested because the rejection makes crucial errors in interpreting the cited reference. The rejection erroneously states that claims 1-12 are anticipated by Wugofski.

#### **Overview of the Cited References**

Wugofski describes a computer system that has a large number of media input sources selectively coupled to a single presentation device. A device database tracks characteristics and connections of the input sources. Multiple, possibly conflicting, channels are assigned to a set of mutually distinct logical channel designations in a channel-map database. Program events occurring on the channels reside in a guide database (*see* Abstract).

CLAIMS 1 and 2

Independent claim 1 provides a method of performing a channel search in a video processing apparatus having at least two video inputs. Each video input is able to receive a video signal originating from a respective one of a plurality of external input sources and coupled to a display device. A user determines a currently selected video input from one of at least two video inputs. Available channels are detected from various possible channels received from the source connected to only the currently selected video input. A channel list of all channels available for the currently selected video input is updated. Wugofski does not anticipate the features of the present claimed system.

Common video processing systems have multiple input types. Disadvantageously, although a tuner can only use one input at a time, in performing an available channel search, current algorithms search all the inputs for all available channels. However, searching multiple inputs, when only a single input can be used, may be overly iterative and take up a large amount of time. The present claimed system understands that a tuner can only utilize one input at a time. Thus, the present claimed system performs an active channel search only on the active or selected input.

The present claimed system detects “available channels from various possible channels received from the source connected to **only** the currently selected video input” as recited in claim 1 of the present system. Wugofski, contrary to the present claimed system, is concerned with advancing “the flexibility and configurability of converged computer systems. It provides a method for **managing multiple channel maps** from different input devices ... It accepts a set of channel designations from each device and automatically translates or remaps them into a set of logical channels unique within the system” (col. 2, lines 12-19). Although Wugofski may contain two or more video inputs, Wugofski merely creates channel maps of the channels available for all input devices to create a master “channel map database 370” (*see* col. 6, lines 56-61 and fig. 3). One device source in Wugofski may provide the same channel as another source. The sources carrying the identical channel are sorted as “primary” and “secondary.” Moreover, “Column 624 names one of the receiver devices 120 as the primary device for receiving the logical channel, the one that is normally preferred by the user. Column 625 names one or more secondary source for the same signal” (col. 5, lines 55-60). One reason for this is “[f]or example, the RF tuner primary device in record 613 could be unavailable for some reason; column 625 specifies that

the signal from the physical channel '4' of the RF tuner is also obtainable on logical channel '01'" (col. 5, lines 60-65). Thus, in case the primary device fails to display a particular channel, a user may alternatively receive the same channel from a secondary device. However, as described in the above passage of Wugofski, creating a master channel map of all channels on all attached source devices is wholly unlike "detecting available channels from various possible channels received from the source connected to **only the currently selected video input**" as recited in claim 1 of the present system. Rather, Wugofski detects channels from all device source inputs and displays an electronic program guide with information about all channels on all devices for presentation to a user. The user may then view all channels available on all devices and can select an alternate device to view a program in case the primary device fails to display the desired channel. Thus, Wugofski neither discloses nor suggests "detecting available channels from various possible channels received from the source connected to only the currently selected video input" as recited in claim 1 of the present system. Additionally, as Wugofski is not concerned with detecting available channels from the source connected to "only the currently selected video input," Wugofski cannot update "a channel list of all channels available for the currently selected video input" as recited in claim 1 of the present system.

The Office Action on page 3 cites col. 6, lines 33-65 of Wugofski as being equivalent to "detecting available channels from various possible channels received from the source connected to only the currently selected video input; and updating a channel list of all channels available for the currently selected video input" recited in claim 1 of the present system. Applicants respectfully disagree. The cited passage recites:

"The arrival of a new event listing from an in-band or out-of-band on-line provider initiates a call to EPG services module 330 at 720 in FIG. 7. Step 721 detects the listing, and step 722 reformats its entries if necessary. For each event record in the listing, step 723 causes step 724 to translate the physical channel in the listing to the equivalent logical channel. Because the combination of device and physical channel is unique, this translation may be accomplished by accessing map database 370 using columns 622 and 624 as a composite key, then extracting the value of column 621. If step 725 determines that the current device/physical-channel combination is already present in database 370, then step 726 builds a new event record from the listing information and the logical channel designation, step 727 stores the record, and control returns to step 723 to process the next record in the listing. If step 725 detects a device/physical-channel key that is not present in database 370, it calls channel-map services module 360, at 730 in FIG. 7. Step 731 first asks whether the device is valid: that is, whether the device name is present in the set of connected receivers 120, and,

if so, whether the listing channel can be tuned by that device. If the list channel is invalid, step 732 signals an error and returns to step 723. For a valid new channel, step 733 assigns a new logical channel number, one which is distinct from all the channel numbers in column 621. Step 734 then accesses device database 350 in order to obtain the remaining information required for a map-database record. Step 735 builds the new record, and step 736 adds it to the channel map database 370. Control then returns to EPG services module at step 726, to build an E.G. record for the current event on the new channel” (col. 6, lines 33-65).

Thus, as described in the above passage, Wugofski only detects a new listing and reformats the listing accordingly. The physical channel is translated to an equivalent logical channel. If the current device/physical-channel combination already exists in the database, then a new event record from the listing information is built and the record is stored. If a device/physical-channel combination is not in the present database, a channel-map services module is called. For a valid new channel, a new and distinct logical channel number is assigned and a new record is built. In this way, Wugofski is able to create a master list of channel maps from multiple input devices. Thusly, even though Wugofski describes the creation of a master list of all channels from all input sources, Wugofski does not disclose or suggest “detecting available channels from various possible channels received from the source connected to only the currently selected video input” and “updating a channel list of all channels available for the currently selected video input” as recited in claim 1 of the present system.

Additionally, applicants respectfully submit that there is no reason for the system of Wugofski to only detect “available channels from various possible channels received from the source connected to ... the currently selected video input” as recited in the present claimed system. Wugofski’s system, which is unlike the present claimed system, is concerned with creating a master list of all available channels from all input devices for the purpose of providing a user a secondary signal source of identical multimedia should the multimedia in the primary signal source become unavailable. Wugofski provides a unique logical numbering, as opposed to the physical numbering, of all channels connected to all the devices. Therefore, Wugofski is not concerned with and does not disclose or suggest “detecting available channels from various possible channels received from the source connected to **only the currently selected video input**” as such would be contrary to the purpose of Wugofski. Additionally, as Wugofski does not disclose or suggest “detecting available channels from various possible channels received from the source connected to only



the currently selected video input,” Wugofski cannot disclose or suggest “updating a channel list of all channels available for the **currently selected video input**” as recited in claim 1 of the present system.

Furthermore, the present claimed system “provide[s] a channel search that will shorten the time necessary to complete the channel acquisition process” (Specification, page 2, lines 19-20). In the present claimed system, “a channel search is performed only on the currently selected signal input of the television rather than on all signal inputs. Depending on the number of signal inputs, channel search time is reduced by at least one-half the time” (Specification, page 2, lines 25-28). Thus, the present claimed system reduces channel search time significantly by “detecting available channels from various possible channels received from the **source connected to only the currently selected video input**” and then “updating a channel list of all channels available for the **currently selected video input**.” To the contrary, Wugofski is not at all concerned with reducing the time of a channel search. Rather, Wugofski eliminates possible channel conflicts and offers a user secondary sources of channels that contain identical programs as a primary source. In this way, a user has a choice for selecting whether he/she wants to watch a show, for example, “Mad About You” on a cable source channel 156 or on an antenna source channel 4 broadcast at the same time, as shown in Fig. 4 of Wugofski. Therefore, Wugofski is completely not related to and cannot resolve the problems addressed and solved by the present claimed system. Moreover, if Wugofski detected “available channels from various possible channels received from the source connected to **only** the currently selected video input” as in the present claimed system, Wugofski would not be able to achieve its primary goal. In order to accomplish its purpose, Wugofski must detect available channels from all the attached input devices and create a master list of unique logical channels (as shown in Fig. 6 of Wugofski). Wugofski creates a master list of all channels connected to all input devices attached to a television system for the purpose of eliminating channel conflicts and offering users the choice to select a program he/she wishes to view that is offered through a plurality of devices connected to the television system (i.e. cable, antenna and DBS satellite). Therefore, if Wugofski was to detect “available channels from various possible channels received from the source connected to only the currently selected video input” and then update “a channel list of all channels available for the currently selected video input” it would be unable to perform its function of providing a secondary device source if “the RF tuner primary device in record 613 ... [is]

unavailable for some reason” (col. 5, lines 60-62). Consequently withdrawal of the rejection of claim 1 under 35 U.S.C. 102(e) is respectfully requested.

In view of the above remarks, applicants respectfully submit that Wugofski does not anticipate the features of claim 1 of the present system. Additionally, as claim 2 is dependent on independent claim 1, claim 2 is allowable for the reasons presented above with respect to claim 1. Consequently, it is respectfully submitted that the rejection of claims 1 and 2 under 35 U.S.C. 102(e) be withdrawn.

### CLAIM 3

Dependent claim 3 is considered to be patentable based on its dependence on claim 1. Claim 3 is also considered to be patentable because Wugofski neither discloses nor suggests “after determining a currently selected video input: utilizing information generated from a previous full channel search regarding whether a video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 3 of the present system.

The Office Action on page 3 argues that Wugofski describes a “[u]ser selects source 110; col. 6, lines 24-30. The system then goes through map database 370 to detect if any device/physical-channel keys are not present in database 370 for the selected source; col. 6, lines 33-65).” Therefore, the Office Action concludes that Wugofski anticipates the features of claim 3 of the present system. Applicants respectfully disagree. The cited passage merely describes that “step 711 executes step 715, which requests the user to identify the device 120, its port number in multiplexer 130, and its source 110” (col. 6, lines 26-28). Although the cited passage may describe that a channel-map services module is called upon the detection of a device/physical-channel key not being present in the database, does not utilize “information generated from a previous full channel search regarding whether a video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 3 of the present information. Rather, Wugofski only describes being able to receive signals from various sources, but is not concerned with and does not disclose or suggest “utilizing information generated from a **previous full channel search regarding whether** a video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 3 of the present system. Wugofski is not concerned with “a previous full channel search” or with determining “**whether** a video input is coupled to a cable video

signal source or an antenna video signal source” as recited in claim 3 of the present system. Merely describing a system capable of receiving signals from various sources, as in Wugofski, neither discloses nor suggests “utilizing information generated from a previous full channel search regarding whether a video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 3 of the present system. Consequently, withdrawal of the rejection of claim 3 under 35 U.S.C. 102(e) is respectfully requested.

#### CLAIM 4

Dependent claim 4 is considered to be patentable based on its dependence on claim 1. Claim 4 is also considered to be patentable because Wugofski neither discloses nor suggests “after determining a currently selected video input: utilizing information entered by a user regarding whether a video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 4 of the present system.

The Office Action, on pages 3-4, argues that in Wugofski, “[a]fter the user selects the video input, the user selects the channel to view through EPG 320. If the user has a cable video source selected, the user selects a channel through EPG. In contrast, if the user has an antenna video signal source selected, the user manually enters in the channel number or depresses the channel up/down button to select a channel. In other words, based on the video signal source, user selection of channel differs-col. 4, lines 40-50).” Although a user in Wugofski may view the EPG or enter a channel or scroll through channels, nowhere in the cited passages or elsewhere in Wugofski is there mention or suggestion of “utilizing information entered by a user regarding whether a video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 4 of the present system. Rather, the cited passage describes “tune[ing] to a particular channel ... Device selection and channel tuning may occur in response to a contemporaneous user selection of a specific event on a particular channel of particular device via a TV-view interface ... The interface employs EPG (“electronic program guide”) content-services module 330 to present choices of events” (col. 4, lines 40-46). Thus, Wugofski merely describes that a user can tune channels on various devices (including direct-broadcast satellite, etc.). However, Wugofski does not determine based on “**information entered by a user regarding whether** a video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 4 of the present system. Consequently, withdrawal of the rejection of claim 4 under 35 U.S.C. 102(e) is respectfully requested.

CLAIMS 5 and 6

Independent claim 5 provides a video processing apparatus coupled to a display device having at least two RF video inputs. Each RF video input is able to receive a video signal originating from a respective one of a plurality of external input sources and is couplable to a respective source of television signals. One RF video input is selected of at least two RF video inputs as a television signal source for processing. Available channels received from the source connected to only the RF video input selected are detected. A channel list of all channels available for the selected RF video input is updated. Wugofski does not anticipate the features of the present claimed arrangement.

Common video processing systems have multiple input types. Disadvantageously, although a tuner can only use one input at a time, in performing an available channel search, current algorithms search all the inputs for all available channels. However, searching multiple inputs, when only a single input can be used, may be overly iterative and take up a large amount of time. The present claimed arrangement understands that a tuner can only utilize one input at a time. Thus, the present claimed arrangement performs an active channel search only on the active or selected input.

The present claimed arrangement detects “means for detecting available channels received from the source connected to **only** the RF video input selected” as recited in claim 5 of the present arrangement. Wugofski, contrary to the present claimed arrangement, is concerned with advancing “the flexibility and configurability of converged computer systems. It provides a method for **managing multiple channel maps** from different input devices ... It accepts a set of channel designations from each device and automatically translates or remaps them into a set of logical channels unique within the system” (col. 2, lines 12-19). Although Wugofski may contain two or more video inputs, Wugofski merely creates channel maps of the channels available for all input devices to create a master “channel map database 370” (*see* col. 6, lines 56-61 and fig. 3). One device source in Wugofski may provide the same channel as another source. The sources carrying the identical channel are sorted as “primary” and “secondary.” Moreover, “Column 624 names one of the receiver devices 120 as the primary device for receiving the logical channel, the one that is normally preferred by the user. Column 625 names one or more secondary source for the same signal” (col. 5, lines 55-60). One reason for this is “[f]or example, the RF tuner

primary device in record 613 could be unavailable for some reason; column 625 specifies that the signal from the physical channel '4' of the RF tuner is also obtainable on logical channel '01'" (col. 5, lines 60-65). Thus, in case the primary device fails to display a particular channel, a user may alternatively receive the same channel from a secondary device. However, as described in the above passage of Wugofski, creating a master channel map of all channels on all attached source devices is wholly unlike "means for detecting available channels received from the source connected to only the RF video input selected" as recited in claim 5 of the present arrangement. Rather, Wugofski detects channels from all device source inputs and displays an electronic program guide with information about all channels on all devices for presentation to a user. The user may then view all channels available on all devices and can select an alternate device to view a program in case the primary device fails to display the desired channel. Thus, Wugofski neither discloses nor suggests "means for detecting available channels received from the source connected to only the RF video input selected" as recited in claim 5 of the present arrangement. Additionally, as Wugofski is not concerned with detecting available channels from the source connected to "only the RF video input selected," Wugofski cannot update "a channel list of all channels available for the selected RF video input" as recited in claim 5 of the present arrangement.

Additionally, col. 6, lines 33-65 of Wugofski recites:

"The arrival of a new event listing from an in-band or out-of-band on-line provider initiates a call to EPG services module 330 at 720 in FIG. 7. Step 721 detects the listing, and step 722 reformats its entries if necessary. For each event record in the listing, step 723 causes step 724 to translate the physical channel in the listing to the equivalent logical channel. Because the combination of device and physical channel is unique, this translation may be accomplished by accessing map database 370 using columns 622 and 624 as a composite key, then extracting the value of column 621. If step 725 determines that the current device/physical-channel combination is already present in database 370, then step 726 builds a new event record from the listing information and the logical channel designation, step 727 stores the record, and control returns to step 723 to process the next record in the listing. If step 725 detects a device/physical-channel key that is not present in database 370, it calls channel-map services module 360, at 730 in FIG. 7. Step 731 first asks whether the device is valid: that is, whether the device name is present in the set of connected receivers 120, and, if so, whether the listing channel can be tuned by that device. If the list channel is invalid, step 732 signals an error and returns to step 723. For a valid new channel, step 733 assigns a new logical channel number, one which is distinct from all the channel numbers in column 621. Step 734 then accesses device database 350 in order to obtain the remaining information required for a map-database record. Step 735 builds the new record, and step 736 adds it to the channel map database 370. Control

then returns to EPG services module at step 726, to build an E.G. record for the current event on the new channel” (col. 6, lines 33-65).

Thus, as described in the above passage, Wugofski only detects a new listing and reformats the listing accordingly. The physical channel is translated to an equivalent logical channel. If the current device/physical-channel combination already exists in the database, then a new event record from the listing information is built and the record is stored. If a device/physical-channel combination is not in the present database, a channel-map services module is called. For a valid new channel, a new and distinct logical channel number is assigned and a new record is built. In this way, Wugofski is able to create a master list of channel maps from multiple input devices. Thusly, even though Wugofski describes the creation of a master list of all channels from all input sources, Wugofski does not disclose or suggest “means for detecting available channels received from the source connected to only the RF video input selected” and “means for updating a channel list of all channels available for the selected RF video input” as recited in claim 5 of the present arrangement.

Additionally, applicants respectfully submit that there is no reason for the system of Wugofski to only detect “available channels received from the source connected to only the RF video input selected” as recited in the present claimed arrangement. Wugofski’s system, which is unlike the present claimed arrangement, is concerned with creating a master list of all available channels from all input devices for the purpose of providing a user a secondary signal source of identical multimedia should the multimedia in the primary signal source become unavailable. Wugofski provides a unique logical numbering, as opposed to the physical numbering, of all channels connected to all the devices. Therefore, Wugofski is not concerned with and does not disclose or suggest “detecting available channels received from the source connected to **only the RF video input selected**” as such would be contrary to the purpose of Wugofski. Additionally, as Wugofski does not disclose or suggest “means for detecting available channels received from the source connected to only the RF video input selected by the means for selecting,” Wugofski cannot disclose or suggest “means for updating a channel list of all channels available for the **selected RF video input**” as recited in claim 5 of the present arrangement.

Furthermore, the present claimed system “provide[s] a channel search that will shorten the time necessary to complete the channel acquisition process” (Specification, page

2, lines 19-20). In the present claimed system, “a channel search is performed only on the currently selected signal input of the television rather than on all signal inputs. Depending on the number of signal inputs, channel search time is reduced by at least one-half the time” (Specification, page 2, lines 25-28). Thus, the present claimed system reduces channel search time significantly by “detecting available channels received from the **source connected to only the RF video input selected**” and then “updating a channel list of all channels available for the **selected RF video input.**” To the contrary, Wugofski is not at all concerned with reducing the time of a channel search. Rather, Wugofski eliminates possible channel conflicts and offers a user secondary sources of channels that contain identical programs as a primary source. In this way, a user has a choice for selecting whether he/she wants to watch a show, for example, “Mad About You” on a cable source channel 156 or on an antenna source channel 4 broadcast at the same time, as shown in Fig. 4 of Wugofski. Therefore, Wugofski is completely not related to and cannot resolve the problems addressed and solved by the present claimed system. Moreover, if Wugofski detected “available channels received from the source connected to **only** the RF video input selected” as in the present claimed system, Wugofski would not be able to achieve its primary goal. In order to accomplish its purpose, Wugofski must detect available channels from all the attached input devices and create a master list of unique logical channels (as shown in Fig. 6 of Wugofski). Wugofski creates a master list of all channels connected to all input devices attached to a television system for the purpose of eliminating channel conflicts and offering users the choice to select a program he/she wishes to view that is offered through a plurality of devices connected to the television system (i.e. cable, antenna and DBS satellite). Therefore, if Wugofski was to detect “available channels received from the source connected to only the RF video input selected” and then update “a channel list of all channels available for the currently selected video input” it would be unable to perform its function of providing a secondary device source if “the RF tuner primary device in record 613 ... [is] unavailable for some reason” (col. 5, lines 60-62). Consequently withdrawal of the rejection of claim 5 under 35 U.S.C. 102(e) is respectfully requested.

In view of the above remarks, applicants respectfully submit that Wugofski does not anticipate the features of claim 5 of the present arrangement. Additionally, as claim 6 is dependent on independent claim 5, claim 6 is allowable for the reasons presented above with respect to claim 5. Consequently, it is respectfully submitted that the rejection of claims 5 and 6 under 35 U.S.C. 102(e) be withdrawn.

CLAIM 7

Dependent claim 7 is considered to be patentable based on its dependence on claim 5. Claim 7 is also considered to be patentable because Wugofski neither discloses nor suggests “means for utilizing information generated from a previous full channel search regarding whether an RF video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 7 of the present arrangement.

The Office Action on page 3 argues that Wugofski describes a “[u]ser selects source 110; col. 6, lines 24-30. The system then goes through map database 370 to detect if any device/physical-channel keys are not present in database 370 for the selected source; col. 6, lines 33-65).” Therefore, the Office Action concludes that Wugofski anticipates the features of claim 7 of the present arrangement. Applicants respectfully disagree. The cited passage merely describes that “step 711 executes step 715, which requests the user to identify the device 120, its port number in multiplexer 130, and its source 110” (col. 6, lines 26-28). Although the cited passage may describe that a channel-map services module is called upon the detection of a device/physical-channel key not being present in the database, does not utilize “information generated from a previous full channel search regarding whether an RF video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 7 of the present information. Rather, Wugofski only describes being able to receive signals from various sources, but is not concerned with and does not disclose or suggest “utilizing information generated from a **previous full channel search regarding whether** an RF video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 7 of the present arrangement. Wugofski is not concerned with “a previous full channel search” or with determining “**whether** an RF video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 7 of the present arrangement. Merely describing a system capable of receiving signals from various sources, as in Wugofski, neither discloses nor suggests “utilizing information generated from a previous full channel search regarding whether an RF video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 7 of the present arrangement. Consequently, withdrawal of the rejection of claim 7 under 35 U.S.C. 102(e) is respectfully requested.



CLAIM 8

Dependent claim 8 is considered to be patentable based on its dependence on claim 5. Claim 8 is also considered to be patentable because Wugofski neither discloses nor suggests “means for utilizing information entered by a user regarding whether an RF video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 8 of the present arrangement.

The Office Action, on pages 3-4, argues that in Wugofski, “[a]fter the user selects the video input, the user selects the channel to view through EPG 320. If the user has a cable video source selected, the user selects a channel through EPG. In contrast, if the user has an antenna video signal source selected, the user manually enters in the channel number or depresses the channel up/down button to select a channel. In other words, based on the video signal source, user selection of channel differs-col. 4, lines 40-50).” Although a user in Wugofski may view the EPG or enter a channel or scroll through channels, nowhere in the cited passages or elsewhere in Wugofski is there mention or suggestion of “utilizing information entered by a user regarding whether an RF video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 8 of the present arrangement. Rather, the cited passage describes “tune[ing] to a particular channel ... Device selection and channel tuning may occur in response to a contemporaneous user selection of a specific event on a particular channel of particular device via a TV-view interface ... The interface employs EPG (“electronic program guide”) content-services module 330 to present choices of events” (col. 4, lines 40-46). Thus, Wugofski merely describes that a user can tune channels on various devices (including direct-broadcast satellite, etc.). However, Wugofski does not determine based on “means for utilizing **information entered by a user regarding whether** an RF video input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 8 of the present arrangement. Consequently, withdrawal of the rejection of claim 8 under 35 U.S.C. 102(e) is respectfully requested.

CLAIMS 9 and 10

Independent claim 9 provides a video processing apparatus having at least two video inputs. Each video input is able to receive a video signal originating from a respective one of a plurality of external input sources. A first plurality of channels of television signals are received from a first television signal input of the at least two video inputs. A second plurality of channels of television signals are received from a second television signal input

of the at least two video inputs. Video data associated with one of the plurality of channels of television signals from either the first and second television signal inputs is displayed. One of the first and second television signal inputs are selected for processing and display. Available channels received from the source connected to only the selected first or second television signal input selected are detected. A channel list of all channels available for the selected television signal input is updated. Wugofski does not anticipate the features of the present claimed apparatus.

Common video processing systems have multiple input types. Disadvantageously, although a tuner can only use one input at a time, in performing an available channel search, current algorithms search all the inputs for all available channels. However, searching multiple inputs, when only a single input can be used, may be overly iterative and take up a large amount of time. The present claimed apparatus understands that a tuner can only utilize one input at a time. Thus, the present claimed apparatus performs an active channel search only on the active or selected input.

The present claimed apparatus detects “available channels received from the source connected to **only** the selected first or second television signal input selected” as recited in claim 9 of the present apparatus. Wugofski, contrary to the present claimed apparatus, is concerned with advancing “the flexibility and configurability of converged computer systems. It provides a method for **managing multiple channel maps** from different input devices ... It accepts a set of channel designations from each device and automatically translates or remaps them into a set of logical channels unique within the system” (col. 2, lines 12-19). Although Wugofski may contain two or more video inputs, Wugofski merely creates channel maps of the channels available for all input devices to create a master “channel map database 370” (see col. 6, lines 56-61 and fig. 3). One device source in Wugofski may provide the same channel as another source. The sources carrying the identical channel are sorted as “primary” and “secondary.” Moreover, “Column 624 names one of the receiver devices 120 as the primary device for receiving the logical channel, the one that is normally preferred by the user. Column 625 names one or more secondary source for the same signal” (col. 5, lines 55-60). One reason for this is “[f]or example, the RF tuner primary device in record 613 could be unavailable for some reason; column 625 specifies that the signal from the physical channel ‘4’ of the RF tuner is also obtainable on logical channel ‘01’” (col. 5, lines 60-65). Thus, in case the primary device fails to display a particular

channel, a user may alternatively receive the same channel from a secondary device. However, as described in the above passage of Wugofski, creating a master channel map of all channels on all attached source devices is wholly unlike “means for detecting available channels received from the source connected to only the selected first or second television signal input selected” as recited in claim 9 of the present apparatus. Rather, Wugofski detects channels from all device source inputs and displays an electronic program guide with information about all channels on all devices for presentation to a user. The user may then view all channels available on all devices and can select an alternate device to view a program in case the primary device fails to display the desired channel. Thus, Wugofski neither discloses nor suggests “means for detecting available channels received from the source connected to only the selected first or second television signal input selected” as recited in claim 9 of the present apparatus. Additionally, as Wugofski is not concerned with detecting available channels from the source connected to “only the selected first or second television signal input,” Wugofski cannot update “a channel list of all channels available for the selected television signal input” as recited in claim 9 of the present apparatus.

Additionally, col. 6, lines 33-65 of Wugofski recites:

“The arrival of a new event listing from an in-band or out-of-band on-line provider initiates a call to EPG services module 330 at 720 in FIG. 7. Step 721 detects the listing, and step 722 reformats its entries if necessary. For each event record in the listing, step 723 causes step 724 to translate the physical channel in the listing to the equivalent logical channel. Because the combination of device and physical channel is unique, this translation may be accomplished by accessing map database 370 using columns 622 and 624 as a composite key, then extracting the value of column 621. If step 725 determines that the current device/physical-channel combination is already present in database 370, then step 726 builds a new event record from the listing information and the logical channel designation, step 727 stores the record, and control returns to step 723 to process the next record in the listing. If step 725 detects a device/physical-channel key that is not present in database 370, it calls channel-map services module 360, at 730 in FIG. 7. Step 731 first asks whether the device is valid: that is, whether the device name is present in the set of connected receivers 120, and, if so, whether the listing channel can be tuned by that device. If the list channel is invalid, step 732 signals an error and returns to step 723. For a valid new channel, step 733 assigns a new logical channel number, one which is distinct from all the channel numbers in column 621. Step 734 then accesses device database 350 in order to obtain the remaining information required for a map-database record. Step 735 builds the new record, and step 736 adds it to the channel map database 370. Control then returns to EPG services module at step 726, to build an E.G. record for the current event on the new channel” (col. 6, lines 33-65).

Thus, as described in the above passage, Wugofski only detects a new listing and reformats the listing accordingly. The physical channel is translated to an equivalent logical channel. If the current device/physical-channel combination already exists in the database, then a new event record from the listing information is built and the record is stored. If a device/physical-channel combination is not in the present database, a channel-map services module is called. For a valid new channel, a new and distinct logical channel number is assigned and a new record is built. In this way, Wugofski is able to create a master list of channel maps from multiple input devices. Thusly, even though Wugofski describes the creation of a master list of all channels from all input sources, Wugofski does not disclose or suggest “means for detecting available channels received from the source connected to only the selected first or second television signal input selected” and “means for updating a channel list of all channels available for the selected television signal input” as recited in claim 9 of the present apparatus.

Furthermore, although the cited passages of Wugofski, cited by the Office Action on pages 4-5, may describe more than one input device, nowhere in the cited passages or elsewhere in Wugofski is there mention or suggestion of “detecting available channels received from the source connected to only the selected first or second television signal input selected; and ... updating a channel list of all channels available for the selected television signal input” as recited in claim 9 of the present apparatus.

Additionally, applicants respectfully submit that there is no reason for the system of Wugofski to only detect “available channels received from the source connected to only the selected first or second television signal input selected” as recited in the present claimed apparatus. Wugofski’s system, which is unlike the present claimed apparatus, is concerned with creating a master list of all available channels from all input devices for the purpose of providing a user a secondary signal source of identical multimedia should the multimedia in the primary signal source become unavailable. Wugofski provides a unique logical numbering, as apposed to the physical numbering, of all channels connected to all the devices. Therefore, Wugofski is not concerned with and does not disclose or suggest “detecting available channels received from the source connected to only the selected first or second television **signal input selected**” as such would be contrary to the purpose of Wugofski. Additionally, as Wugofski does not disclose or suggest “means for detecting available channels received from the source connected to only the selected first or second

television signal input selected by the means for selecting,” Wugofski cannot disclose or suggest “means for updating a channel list of all channels available for the **selected television signal input**” as recited in claim 9 of the present apparatus.

Furthermore, the present claimed system “provide[s] a channel search that will shorten the time necessary to complete the channel acquisition process” (Specification, page 2, lines 19-20). In the present claimed system, “a channel search is performed only on the currently selected signal input of the television rather than on all signal inputs. Depending on the number of signal inputs, channel search time is reduced by at least one-half the time” (Specification, page 2, lines 25-28). Thus, the present claimed system reduces channel search time significantly by “detecting available channels received from the **source connected to only the selected first or second television signal input selected**” and then “updating a channel list of all channels available for the **selected television signal input**.” To the contrary, Wugofski is not at all concerned with reducing the time of a channel search. Rather, Wugofski eliminates possible channel conflicts and offers a user secondary sources of channels that contain identical programs as a primary source. In this way, a user has a choice for selecting whether he/she wants to watch a show, for example, “Mad About You” on a cable source channel 156 or on an antenna source channel 4 broadcast at the same time, as shown in Fig. 4 of Wugofski. Therefore, Wugofski is completely not related to and cannot resolve the problems addressed and solved by the present claimed system. Moreover, if Wugofski detected “available channels received from the source connected to **only** the selected first or second television signal input selected” as in the present claimed system, Wugofski would not be able to achieve its primary goal. In order to accomplish its purpose, Wugofski must detect available channels from all the attached input devices and create a master list of unique logical channels (as shown in Fig. 6 of Wugofski). Wugofski creates a master list of all channels connected to all input devices attached to a television system for the purpose of eliminating channel conflicts and offering users the choice to select a program he/she wishes to view that is offered through a plurality of devices connected to the television system (i.e. cable, antenna and DBS satellite). Therefore, if Wugofski was to detect “available channels received from the source connected to only the selected first or second television signal input selected” and then update “a channel list of all channels available for the selected television signal input” it would be unable to perform its function of providing a secondary device source if “the RF tuner primary device in record 613 ... [is] unavailable for

some reason” (col. 5, lines 60-62). Consequently withdrawal of the rejection of claim 9 under 35 U.S.C. 102(e) is respectfully requested.

In view of the above remarks, applicants respectfully submit that Wugofski does not anticipate the features of claim 9 of the present apparatus. Additionally, as claim 10 is dependent on independent claim 9, claim 10 is allowable for the reasons presented above with respect to claim 9. Consequently, it is respectfully submitted that the rejection of claims 9 and 10 under 35 U.S.C. 102(e) be withdrawn.

#### CLAIM 11

Dependent claim 11 is considered to be patentable based on its dependence on claim 10. Claim 11 is also considered to be patentable because Wugofski neither discloses nor suggests “means for utilizing information generated from a previous full channel search regarding whether a television signal input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 11 of the present apparatus.

The Office Action on page 3 argues that Wugofski describes a “[u]ser selects source 110; col. 6, lines 24-30. The system then goes through map database 370 to detect if any device/physical-channel keys are not present in database 370 for the selected source; col. 6, lines 33-65).” Therefore, the Office Action concludes that Wugofski anticipates the features of claim 11 of the present apparatus. Applicants respectfully disagree. The cited passage merely describes that “step 711 executes step 715, which requests the user to identify the device 120, its port number in multiplexer 130, and its source 110” (col. 6, lines 26-28). Although the cited passage may describe that a channel-map services module is called upon the detection of a device/physical-channel key not being present in the database, does not utilize “information generated from a previous full channel search regarding whether a television signal input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 11 of the present information. Rather, Wugofski only describes being able to receive signals from various sources, but is not concerned with and does not disclose or suggest “means for utilizing information generated from a **previous full channel search regarding whether** a television signal input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 11 of the present apparatus. Wugofski is not concerned with “a previous full channel search” or with determining “**whether** a television signal input is coupled to a cable video signal source or an antenna video signal

source” as recited in claim 11 of the present apparatus. Merely describing a system capable of receiving signals from various sources, as in Wugofski, neither discloses nor suggests “utilizing information generated from a previous full channel search regarding whether a television signal input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 11 of the present apparatus. Consequently, withdrawal of the rejection of claim 11 under 35 U.S.C. 102(e) is respectfully requested.

#### CLAIM 12

Dependent claim 12 is considered to be patentable based on its dependence on claim 10. Claim 12 is also considered to be patentable because Wugofski neither discloses nor suggests “means for utilizing information entered by a user regarding whether a television signal input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 12 of the present apparatus.

The Office Action, on pages 3-4, argues that in Wugofski, “[a]fter the user selects the video input, the user selects the channel to view through EPG 320. If the user has a cable video source selected, the user selects a channel through EPG. In contrast, if the user has an antenna video signal source selected, the user manually enters in the channel number or depresses the channel up/down button to select a channel. In other words, based on the video signal source, user selection of channel differs-col. 4, lines 40-50).” Although a user in Wugofski may view the EPG or enter a channel or scroll through channels, nowhere in the cited passages or elsewhere in Wugofski is there mention or suggestion of “utilizing information entered by a user regarding whether a television signal input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 12 of the present apparatus. Rather, the cited passage describes “tune[ing] to a particular channel ... Device selection and channel tuning may occur in response to a contemporaneous user selection of a specific event on a particular channel of particular device via a TV-view interface ... The interface employs EPG (“electronic program guide”) content-services module 330 to present choices of events” (col. 4, lines 40-46). Thus, Wugofski merely describes that a user can tune channels on various devices (including direct-broadcast satellite, etc.). However, Wugofski does not determine based on “means for utilizing **information entered by a user** regarding **whether** a television signal input is coupled to a cable video signal source or an antenna video signal source” as recited in claim 12 of the present apparatus. Consequently, withdrawal of the rejection of claim 12 under 35 U.S.C. 102(e) is respectfully requested.

In view of the above remarks, it is respectfully submitted that Wugofski provides no 35 U.S.C. 112 compliant enabling disclosure that anticipates claims 1-12. Therefore, withdrawal of the rejection of claim 1-12 under 35 U.S.C. 102(e) is respectfully requested.

### VIII CONCLUSION

Wugofski neither discloses nor suggests “detecting available channels from various possible channels received from the source connected to only the currently selected video input” as recited in claim 1 of the present system. Additionally, Wugofski also neither discloses nor suggests “updating a channel list of all channels available for the currently selected video input” as recited in claim 1 of the present system. As independent claims 1, 5 and 9 all contain similar features to those discussed above, these claims are all allowable over Wugofski. Furthermore, as claims 2-4, 6-8 and 10-12 are dependent on claims 1, 5 and 9, respectively, these claims are also allowable over Wugofski.

Accordingly it is respectfully submitted that the rejection of claims 1-12 should be reversed.

Respectfully submitted,  
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March 7, 2008



**APPENDIX I - APPEALED CLAIMS**

1. (Previously Presented) In a video processing apparatus having at least two video inputs, each video input able to receive a video signal originating from a respective one of a plurality of external input sources and coupled to a display device, a method of performing a channel search comprising:

determining by a user a currently selected video input from one of the at least two video inputs;

detecting available channels from various possible channels received from the source connected to only the currently selected video input; and

updating a channel list of all channels available for the currently selected video input.

2. (Original) The method of claim 1, wherein detecting available channels comprises detecting only digital channels.

3. (Previously Presented) The method of claim 1, further including after determining a currently selected video input:

utilizing information generated from a previous full channel search regarding whether a video input is coupled to a cable video signal source or an antenna video signal source.

4. (Previously Presented) The method of claim 1, further including after determining a currently selected video input:

utilizing information entered by a user regarding whether a video input is coupled to a cable video signal source or an antenna video signal source.

5. (Previously Presented) A video processing apparatus coupled to a display device and having at least two RF video inputs, each RF video input able to receive a video signal originating from a respective one of a plurality of external input sources and being couplable to a respective source of television signals, the video processing apparatus comprising:

means for selecting one RF video input of the at least two RF video inputs as a television signal source for processing;

means for detecting available channels received from the source connected to only the RF video input selected by the means for selecting; and

means for updating a channel list of all channels available for the selected RF video input.

6. (Original) The video processing apparatus of claim 5, wherein the means for detecting available channels comprises detecting only digital channels.

7. (Previously Presented) The video processing apparatus of claim 5, further including:

means for utilizing information generated from a previous full channel search regarding whether an RF video input is coupled to a cable video signal source or an antenna video signal source.

8. (Previously Presented) The video processing apparatus of claim 5, further including:

means for utilizing information entered by a user regarding whether an RF video input is coupled to a cable video signal source or an antenna video signal source.

9. (Previously Presented) A video processing apparatus having at least two video inputs, each video input able to receive a video signal originating from a respective one of a plurality of external input sources comprising:

means for receiving a first plurality of channels of television signals from a first television signal input of the at least two video inputs;

means for receiving a second plurality of channels of television signals from a second television signal input of the at least two video inputs;

means for displaying video data associated with one of the plurality of channels of television signals from either the first and second television signal inputs;

means for selecting one of the first and second television signal inputs for processing and display;

means for detecting available channels received from the source connected to only the selected first or second television signal input selected by the means for selecting; and

means for updating a channel list of all channels available for the selected television signal input.

10. (Original) The video processing apparatus of claim 9, wherein the means for detecting available channels comprises detecting only digital channels.

11. (Previously Presented) The video processing apparatus of claim 9, further including:

means for utilizing information generated from a previous full channel search regarding whether a television signal input is coupled to a cable video signal source or an antenna video signal source.

12. (Previously Presented) The video processing apparatus of claim 9, further including:

means for utilizing information entered by a user regarding whether a television signal input is coupled to a cable video signal source or an antenna video signal source.

**APPENDIX II - EVIDENCE**

Applicant does not rely on any additional evidence other than the arguments submitted hereinabove.

**APPENDIX III - RELATED PROCEEDINGS**

Applicant respectfully submits that there are no proceedings related to this appeal in which any decisions were rendered.

**APPENDIX IV - TABLE OF CASES**

**APPENDIX V - LIST OF REFERENCES**

<b><u>U.S. Patent No.</u></b>	<b><u>Issued Date</u></b>	<b><u>102(e) Date</u></b>	<b><u>Inventors</u></b>
6,003,041			Wugofski

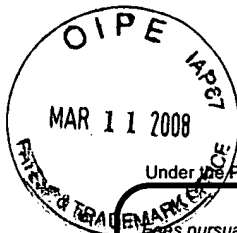
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# FEE TRANSMITTAL

## For FY 2008

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 510.00

**Complete if Known**

Application Number	10/031,091
Filing Date	January 15, 2002
First Named Inventor	Gene Harlow Johnson
Examiner Name	Sumaiya A. Chowdhury
Art Unit	2623
Attorney Docket No.	RCA89650

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 07-0832 Deposit Account Name: Thomson Licensing, LLC

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☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
- 20 or HP =	x	=		<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

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Signature		Registration No. 34,721 (Attorney/Agent)	Telephone 609-734-6866
Name (Print/Type)	Jack Schwartz		Date March 7, 2008

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